IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

WP(C).No. 32575 of 2006(C)

AGAINST THE ORDER IN IA 2771 OF 2006 IN
OP.107/2006 of II ADDL. DISTRICT COURT, TRIVANDRUM

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PETITIONER:

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1. J. GOPINATHAN, S/O. OF KARTHIKEYA,
   VH-112, UPPER MERIDIAN ROAD, KURAVANKONAM,
   KOWDIAR P.O., THIRUVANANTHAPURAM.

2. SURESH BABU,
   VILAYIL VEEDU, AZHOOR, PERUMKUZHY,
   THIRUVANANTHAPURAM.

3. PADMAKUMR,
   TC.20/1085, MNRA-9, KARAMANA, THIRUVANANTHAPURAM.

BY ADV. SRI.V.SURESH
SRI.G.SUDHEER

RESPONDENTS:

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1. SOCIAL JUSTICE FOUNDATION,
   REPRESENTED BY ITS SECRETARY, TC.46/1107,
   SARA BUILDINGS, ARYASALA, THIRUVANANTHAPURAM.

2. CHAIRMAN,
   SOCIAL JUS;TICE FOUNDATION OF THE SAME ADDRESS.

3. GENERAL SECRETARY, -DO- -DO-.

BY //

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.SASIDHARAN NAMBIAR,J.

W.P.(C) .NO. 32575 OF 2006

Dated 7th December 2006

JUDGMENT

Petitioners are challenging Ext.P7 order passed by Additional District Judge, Thiruvananthapuram in I.A.2771/06 in O.P.107/06 whereunder application filed by respondents to convene general body meeting was permitted. Contention of petitioner was that purpose of convening general body meeting is to amend the bye-laws and respondents shall not be permitted to amend bye-laws and therefore Ext.P7 order is to be quashed.

2. Though under Ext.P7 order learned Additional District Judge permitted convening of general body meeting, order does not permit the amendment of bye-laws. Order also make it clear that decisions taken in the general body meeting will be subject to the decision in the petition before the court. In such circumstance, I find no reason to interfere with Ext.P7 order. It is made clear that fact that respondents are permitted to convene general body

meeting does not mean that respondents are permitted to amend the bye-laws. If bye-laws are amended that will be subject to the decision in O.P.107/06.

Writ petition is dismissed.

M.SASIDHARAN NAMBIAR,
JUDGE.

uj.